



JRW

Docket No.: 8733.860.00-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Sang-Min JANG et al.

Customer No.: 30827

Application No.: 10/602,675

Confirmation No.: 1984

Filed: June 25, 2003

Art Unit: 2871

For: TRANSFLECTIVE LIQUID CRYSTAL  
DISPLAY DEVICE AND FABRICATING  
METHOD THEREOF

Examiner: Thanh N. Nguyen

**SUPPLEMENTAL AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 29, 2004, Applicants submit the supplemental arguments presented herein below.

Further to the Amendment submitted by Applicants on December 29, 2004, Applicants note that U.S. Patent Publication No. 2003/0058389 A1 to Ha et al. ("Ha") upon which the Examiner relied as rendering claims 8, 14, and 16-23 unpatentable does not qualify as prior art under 35 U.S.C. §103(c).

Effective November 29, 1999, 35 U.S.C. 103(c) provides that subject matter developed by another which qualifies as "prior art" only under subsection 35 U.S.C. §102(e) is not to be considered when determining whether an invention sought to be patented is obvious under 35 U.S.C. §103, provided the subject matter and the claimed invention were commonly owned at the time the invention was made.

The instant application is wholly owned by LG.Philips LCD Co., LTD as evidenced by the assignment documents recorded by the U.S. Patent and Trademark Office on June 25,

2003 at reel no. 014234 and frame no. 0921. Futhermore, the subject matter of U.S. Patent Publication No. 2003/0058389 is wholly owned by LG.Philips LCD Co., LTD as evidenced by the the assignment documents recoreded by the U.S. Patent and Trademark Office on December 2, 2002 at reel no. 013543 and frame no. 0769. Accordingly, Ha is not a prior art under 35 U.S.C. §103(c) because the subject matter and the claimed invention were commonly owned.

The application is in condition for allowance. Notice of same is earnestly solicited. Should the Examiner for any reason find the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: March 9, 2005

Respectfully submitted,

  
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